UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION No. 7:12-CV-00023-D

PHILLIP J. SINGER, Individually and on Behalf of All Other Persons Similarly Situated,

Plaintiff.

:

:

TRANS1 INC., KENNETH REALI, JOSEPH P. SLATTERY, RICHARD RANDALL, and

v.

MICHAEL LUETKEMEYER,

:

Defendants.

LEAD PLAINTIFF'S NOTICE OF UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT

AND CERTIFICATION OF SETTLEMENT CLASS

Lead Plaintiff Phillip J. Singer ("Lead Plaintiff" or "Plaintiff"), on behalf of himself and all Settlement Class Members, respectfully moves this Court unopposed for an Order, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure: (a) granting preliminary approval to the proposed Settlement; (b) certifying the Settlement Class for settlement purposes; (c) approving the proposed form of Notice and Publication Notice; (d) approving the proposed methods of disseminating notice; (e) setting a date for the Settlement Fairness Hearing; and (f) for such other and further relief as this Court deems just and proper.

Lead Plaintiff is contemporaneously filing a memorandum of law and the Declaration of Jeremy A. Lieberman, with accompanying exhibits annexed thereto, in support of this Motion.

A proposed Order Granting Preliminary Approval of Class Action Settlement, Approving Form and Manner of Notice, and Setting Date for Hearing on Final Approval of Settlement is also submitted herewith.

Dated: May 22, 2018

/s/ Jeremy A. Lieberman

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Lead Counsel for Plaintiff and the Class